

REMARKS/ARGUMENTS

Claims 1-3, and 11-15 are rejected in the Office Action by the Examiner and claims 4-7, 9 and 10 are objected to as being dependent upon a rejected base claim but would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. Claim 1 has been amended.

Independent Claim 1 has been amended to include (added words underlined for emphasis) “an extension module having a first end disposed against a portion of the lower unit/drive assembly and a second end disposed against a portion of the linkage, wherein the extension module is configured to exert a force against a portion of the lower unit/drive assembly and against a portion of the linkage, wherein the linkage is configured to transfer the force to the bent propeller drive shaft, and wherein the propeller drive shaft is bent in the direction of the force.” No new matter has been added.

Claim Rejections – 35 U.S.C. § 102

A. Claims 1-3 and 8

The Examiner rejected Claims 1-3 and 8 under 35 U.S.C. § 102(b) as being anticipated by White (US Patent No. 4,876,877) Applicant respectfully traverses the rejection of these claims as amended and requests reconsideration for the following reasons.

The Examiner has indicated that a recitation of an intended use of the claimed invention must result in a structural difference between the claimed invention and the prior art in order to patentable distinguish the claimed invention from the prior art. See the Office Action, page 2. The Applicant has amended claim 1 to more fully describe the structural differences between the claimed invention and the White reference.

As noted by Archimedes, with a solid place to stand and a long enough lever, one may move the world. In other words, to transfer force, a solid non-moving surface to press against is needed. In order for an extension module in the claimed invention to exert a force against the

linkage, one side of the extension module must be braced against a non-moving surface in order for other side of the extension module to exert the force against the object. In the claimed invention, the nonmoving surface is provided by the lower unit/drive assembly.

White teaches a linkage that is coupled to mine roof bolt in three places: c-shaped pieces 18, 20, and 52. The tool is used to exert a deforming force, in the form of torque, against the roof bolt, via c-shaped piece 52, relative to the portion of the roof bolt secured by the c-shaped pieces 18 and 20 in a fixed orientation to provide a pivot point about which the roof bolt is deformed. In addition, the c-shaped pieces 18 and 20 are further affixed to the power cylinder 14 via a stationary support member 10. Thus, the tool in White is affixed to the roof bolt such that the power force exerted by the power cylinder is applied to the one portion of the roof bolt while the power cylinder is rigidly affixed to a second portion of the roof bolt. In this way, the power cylinder is braced against the second portion of the roof bolt and is able to provide a deforming torque to the first part of the roof bolt.

The claimed invention is structurally different than the tool described and taught in the White reference. In particular, the extension module in the claimed invention is positioned such that one portion is in contact with the lower unit/drive assembly and a second portion is in contact with the linkage. In this way, the extension module is braced against the lower unit/drive assembly and is able to provide the deforming force to the linkage. The linkage then transfers the deforming force to the propeller shaft. Accordingly, the Applicant believes that claim 1 is patentably distinct over the White reference.

B. Claims 1-3, 8 and 11-15

Claims 1-3, 8 and 11-15 are also rejected under 35 USC 102(b) as being anticipated by Barber, US Patent No. 2,596,976, the Applicant respectfully traverses this rejection. Barber teaches a post straightening jack in which a jack 17 is coupled to a post 12 via a collar 14 and lug 16. The Applicant fails to see how the base 5 that is resting on the curbing 11 forms a linkage with the collar 14 and lug 16. In addition, it is clear from the drawings that the force of the jack 18 is applied directly to the bent post 12 and is not applied through a linkage as in the claimed invention. See for example, Figs. 2 and 5 and the description at col. 2 lines 4-10 and 31-39. A linkage is a system of interconnected machine elements, such as rods, springs, and pivots, used

to transmit power or motion. Thus, a linkage is used between a power source and the final object. The use of a linkage does not allow for the direct connection of the power source to the object. The Applicant asserts therefore that the color 14 and lug 16 do not form a linkage but rather directly couple the jack head 20 to the post 12 so that the force transmitted by the jack is directly applied to the post 12.

Accordingly, the Applicant believes that claim 1 is patentably distinct over the Berber reference as well and is therefore in condition for allowance. Claims 2-15 depend from claim 1 and are therefore allowable for at least the same reasons as claim 1. Reconsideration and allowance of all claims is respectfully requested.

Summary and Conclusions

Based on the foregoing arguments, it is respectfully submitted that Claims 1-15 now pending in this application are in condition for allowance, and such allowance is respectfully requested. If prosecution of the application can be expedited by a telephone conference, the Examiner is invited to call the undersigned at the number given below. No further fees are believed due. However, if there are any fees due, the Commissioner is hereby authorized to charge the appropriate amount to Deposit Account No. 50-3089. A copy of this page is included for deposit account purposes.

Respectfully submitted,

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